

REMARKS

The present Amendment amends claims 7 and 8. Therefore, the present application has pending claims 7 and 8.

Claim Objections

Claims 7 and 8 stand objected to due to informalities noted by the Examiner. However, it should be noted that, contrary to the Examiner's assertions, claims 7 and 8 do not recite "for being" in line 15 or in any other location in either of claims 7 or 8. Accordingly, where appropriate, Amendments were made to claims 7 and 8 to correct the informalities, *as best understood by Applicants*. Therefore, this objection is overcome and should be withdrawn.

35 U.S.C. §103 Rejections

Claims 7 and 8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,777,580 to Janky, et al. ("Janky") in view of U.S. Patent No. 6,289,332 to Menig, et al. ("Menig"). This rejection is traversed for the following reasons. Applicants submit that the features of the present invention, as now more clearly recited in claims 7 and 8, are not taught or suggested by Janky or Menig, whether taken individually or in combination with each other in the manner suggested by the Examiner. Therefore, Applicants respectfully request the Examiner to reconsider and withdraw this rejection.

Amendments were made to the claims to more clearly describe features of the present invention. Specifically, amendments were made to the claims to more clearly recite that the present invention is directed to a distributed computer system as recited, for example, in independent claim 7.

The present invention, as recited in claim 7, provides a distributed computer system including a first computer network, a second computer network, and a gateway connected the first and second computer networks. The first computer network is connected to at least one device that periodically sends or receives messages. The second computer network is connected to at least one device that sends or receives messages in response to an event or demand. The gateway includes a periodic message receiving means that receives messages that the first computer network sends periodically. The gateway also includes a first memory means that stores the messages received by the periodic message receiving means. The gateway further includes a message value change detecting means that detects a change of the value of the data included in each of the messages stored in the first memory means. Furthermore, the gateway includes an event message sending means that produces a message from the data stored in the first memory means when the message value change detecting means detects the change of the value of the data, and that delivers the produced message to the second computer network. According to the present invention, the at least one device connected to the first computer network that periodically sends or receives messages is an engine controlling device or an adaptive cruise control (ACC) controlling unit, and the device that sends or receives messages in response to the event or demand is a navigation system or an Internet terminal. The prior art does not teach or suggest all of these features.

The above described features of the present invention, as now more clearly recited in the claims, are not taught or suggested by any of the references of record.

Specifically, the features are not taught or suggested by either Janky or Menig, whether taken individually or in combination with each other.

Janky teaches a vehicle location system. However, there is no teaching or suggestion in Janky of the distributed computer system as recited in claim 7 of the present invention.

Janky's vehicle location system includes a method and apparatus for determining vehicle present location using a location determination system (LDS). In this system, an LDS signal antenna and receiver/processor, an interrogation signal (IS) receiver means, and an IS responder means are electrically connected and carried on the vehicle. When a vehicle trigger event occurs, a specified vehicle IS is broadcast and is received by the IS receiver means. The IS receiver means causes the LDS receiver/processor to obtain vehicle present location information and to provide such information for the IS responder mean, for transmission to an IS contact receiver (selected based on vehicle present location). The IS receiver means and IS responder means are independently selected to be a cellular phone receiver, a paging signal receiver, a paging signal receiver, a WAN/LAN workstation, or an Earth-satellite-Earth radio wave link. Optionally, the LDS receiver/processor is kept in a "sleeper" mode to conserve power until the IS receiver receives and responds to the specified IS, or is periodically activated to update the LDS antenna present location. Presence of the LDS equipment, IS receiver means, and/or IS responder means are concealed on the vehicle. In another embodiment, a trigger event sensor is positioned on the vehicle and the responder means is caused to transmit to the vehicle present location information when a vehicle trigger event

occurs, such as unauthorized movement of or entry into the vehicle, or collision of the vehicle.

One feature of the present invention, as recited in claim 7, includes a first computer network to which at least one device that periodically sends or receives messages is connected. Janky does not disclose this feature. To support the assertion that Janky teaches this feature, the Examiner cites column 9, lines 4-16. However, neither the cited text nor any other portions of Janky, teach or suggest where a device that periodically sends or receives messages is connected to a first computer network. For example, the cited text merely describes the configuration of the UtiliNet system, and provides no disclosure of periodically sending or receiving messages, in the manner claimed.

In response to Applicants' arguments that Janky does not teach periodically sending or receiving messages, the Examiner cites: column 3, lines 24-33; column 4, lines 44-46; and column 8, lines 45-46. However, neither the cited text, nor any other portions of Janky, teach or suggest the claimed features.

For example, regarding column 3, lines 24-33, the cited text is provided in the BACKGROUND OF THE INVENTION, and describes a paging system as disclosed in U.S. Patent No. 4,943,803 to Vrijkorte. The Janky reference does not teach that the features of the Vrijkorte paging system are included in the Janky vehicle location system. To the contrary, Janky attempts to improve upon the Vrijkorte paging system. It appears that the Examiner is attempting to improperly import features of a background art into an embodiment of the relied upon art. Furthermore, Applicants submit that going into a "sleeper" mode if no signals are received within a selected time interval is not the same as periodically receiving messages. As described in the

Merriam-Webster Online Dictionary “periodically” is defined as “at regular intervals of time”. A “selected time interval” is not the same as “at regular intervals of time”.

Accordingly, the cited text does not teach or suggest the claimed feature.

By way of further example, regarding column 4, lines 44-46, it again appears that the Examiner is attempting to improperly import features of a background art into an embodiment of the relied upon art. The cited text describes a Lojack Corporation vehicle location system using radio signals, where a vehicle transmitter is remotely activated by a signal broadcast from elsewhere. The Janky reference does not teach that the features of the Lojack Corporation vehicle location system are included in the Janky vehicle location system. To the contrary, Janky attempts to improve upon the Lojack Corporation vehicle location system. Regarding the cited text, the Examiner asserts that “Janky et al. discloses communicating messages at discreet times.” However, merely “broadcasting a signal from elsewhere” does not amount to periodically sending or receiving messages, where periodically is defined as “at regular intervals of time”.

By way of even further example, regarding column 8, lines 45-46, the Examiner asserts that “Janky et al. discloses communicating messages at discreet times.” However, neither the cited text nor any other portion of Janky teach or suggest this claimed feature. For example, the cited text merely describes where the “selected maximum time interval for a message to be transmitted by a paging terminal can be 0-255 seconds.” This description of a time interval is not the same as periodically sending or receiving messages, where periodically is defined as “at regular intervals of time”.

On page 6 of the Office Action, in regards to the claimed feature of periodically sending or receiving messages, the Examiner asserts "If the Applicant intends to have the recitation carry patentable weight, it should be amended to be "to periodically" etc." It should be noted that Applicants have amended the claims in view of the Examiner's recommendations, as best understood by Applicants.

Another feature of the present invention, as recited in claim 7, includes a gateway that is connected to the first and second computer networks. The gateway includes a periodic message receiving means that receives messages that the first computer network sends periodically, a first memory means that stores the messages received by the periodic message receiving means, a message value change detecting means that detects a change of the value of the data included in each of the messages stored in the first memory means, and an event message sending means that produces a message from the data stored in the first memory means when the message value change detecting means detects the change of the value of the data, and that delivers the produced message to the second computer network. Janky does not disclose this feature. To support the assertion that Janky discloses a gateway, as claimed, the Examiner cites: column 10, lines 31-36; column 10, lines 50-67; and column 3, lines 61-67. However, neither the cited text nor any other portions of Janky disclose each of the features of the gateway, as claimed. For example, Janky does not teach a periodic message receiving means for receiving messages that the first computer network sends periodically, in the manner claimed. With further reference to column 10, lines 50-67, the Examiner suggests that the broadcast of emergency signals after a button is pushed by a user corresponds to "periodically" sending messages by the first computer network of the present

invention. Contrary to the Examiner's assertions, the arbitrary pushing of a button by a user is not the same as periodically sending messages. For example, as previously discussed, the Merriam-Webster Online Dictionary defines "periodically" as "at regular intervals of time". There is no disclosure in Janky of where the user pushes the button "at regular intervals of time" as in the present invention. Accordingly, Janky does not teach the claimed feature.

In response to Applicants' arguments that Janke does not teach or suggest where the gateway includes a periodic message receiving means for receiving messages that the first network sends periodically, the Examiner asserts "Janky et al. teaches, "selected time interval" which meets the Applicant's definition given on page 9 of the response to be "regular time interval." The Examiner further asserts "There's no indication in the claims that the time interval is automatic and set by the network and not user initiated at user defined regular periods." First, the Examiner has improperly changed the meaning of "periodically" to "regular time interval." As previously discussed, the Merriam-Webster Online Dictionary defines "periodically" as "at regular intervals of time." The term "periodically" alone indicates that an action is repeated at regular intervals of time. This is not the same as a mere "regular time interval" as redefined by the Examiner, or a mere "selected time interval" as disclosed in Janky. More specifically, a mere interval of time is not the same as periodically or regularly repeating an action as in the present invention. Therefore, Applicants do not agree that further amendment is necessary to distinguish the invention, as claimed, over the prior art because Janky does not teach or suggest regularly repeating an action at regular intervals of times, as in the present invention.

Therefore, Janky fails to teach or suggest "a first computer network to which at least one device that periodically sends or receives messages is connected" as recited in claim 7.

Furthermore, Janky fails to teach or suggest "a gateway connected to said first and second computer networks, said gateway comprising: periodic message receiving means that receives messages which said first computer network sends periodically; first memory means that stores the messages received by said periodic message receiving means; message value change detecting means that detects a change of the value of the data included in each of the messages stored in said first memory means; and event message sending means that produces a message from the data stored in said first memory means when said message value change detecting means detects the change of the value of the data, and that delivers the produced message to said second computer network" as recited in claim 7.

The above noted deficiencies of Janky are not supplied by any of the other references of record, namely Menig, whether taken individually or in combination with each other. Therefore, combining the teachings of Janky and Menig in the manner suggested by the Examiner still fails to teach or suggest the features of the present invention as now more clearly recited in the claims.

Menig teaches an integrated message display system for a vehicle. However, there is no teaching or suggestion in Menig of the distributed computer system as recited in claim 7 of the present invention.

Menig's integrated message display system provides an extendable and prioritized message scheme. Using this scheme, the message system acts as a centralized message provider for a variety of alerts and operating data that originates

throughout the vehicle. The message system defines a hierarchy of message levels, each having a unique output protocol. The protocol defines attributes associated with messages at a particular level, such as textual or graphical message, an auditory alert, as well as the scheme for playing these messages and alerts. The system integrates a variety of subsystems that conventionally have separate driver interfaces such as a collision warning system and an adaptive cruise control system.

One feature of the present invention, as recited in claim 7, includes a first computer network to which at least one device that periodically sends or receives messages is connected. Menig does not disclose this feature, and the Examiner does not rely upon Menig for teaching this feature.

Another feature of the present invention, as recited in claim 7, includes a gateway that is connected to the first and second computer networks. The gateway includes a periodic message receiving means that receives messages that the first computer network sends periodically, a first memory means that stores the messages received by the periodic message receiving means, a message value change detecting means that detects a change of the value of the data included in each of the messages stored in the first memory means, and an event message sending means that produces a message from the data stored in the first memory means when the message value change detecting means detects the change of the value of the data, and that delivers the produced message to the second computer network. Menig does not disclose this feature, and the Examiner does not rely upon Menig for teaching this feature.

Therefore, Menig fails to teach or suggest “a first computer network to which at least one device that periodically sends or receives messages is connected” as recited in claim 7.

Furthermore, Menig fails to teach or suggest “a gateway connected to said first and second computer networks, said gateway comprising: periodic message receiving means that receives messages which said first computer network sends periodically; first memory means that stores the messages received by said periodic message receiving means; message value change detecting means that detects a change of the value of the data included in each of the messages stored in said first memory means; and event message sending means that produces a message from the data stored in said first memory means when said message value change detecting means detects the change of the value of the data, and that delivers the produced message to said second computer network” as recited in claim 7.

Both Janky and Menig suffer from the same deficiencies, relative to the features of the present invention, as recited in the claims. Therefore, combining the teachings of Janky and Menig in the manner suggested by the Examiner does not render obvious the features of the present invention as now more clearly recited in the claims. Accordingly, reconsideration and withdrawal of the 35 U.S.C. §103(a) rejection of claims 7 and 8 as being unpatentable over Janky in view of Menig are respectfully requested.


The remaining references of record have been studied. Applicants submit that they do not supply any of the deficiencies noted above with respect to the references used in the rejection of claims 7 and 8.

In view of the foregoing amendments and remarks, Applicants submit that claims 7 and 8 are in condition for allowance. Accordingly, early allowance of claims 7 and 8 is respectfully requested.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Mattingly, Stanger & Malur, P.C., Deposit Account No. 50-1417 (referencing attorney docket no. 503.39781X00).

Respectfully submitted,

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